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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,561	07/29/2003	Karsten Schulz	13909-026003 / 2002P00222	4018
32864 FISH & RICHA	07/29/2003 590 01/28/20 RDSON, P.C.	01/28/2010	EXAMINER	
PO BOX 1022			MANSFIELD, THOMAS L	
MINNEAPOLIS, MN 55440-1022			ART UNIT	PAPER NUMBER
			3624	
			NOTIFICATION DATE	DELIVERY MODE
			01/28/2010	ELECTRONIC

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

	Application No.	Applicant(s)
Examiner-Initiated Interview Summary	10/628,561	SCHULZ ET AL.
Examiner-initiated linerview Summary	Examiner	Art Unit
	THOMAS MANSFIELD	3624
All Participants:	Status of Application: <u>Not</u> <u>amendment</u>	ice of non-compliant
(1) THOMAS MANSFIELD, Examiner.	(3)	
(2) Ryan McCarthy, Applicants' Representative.	(4)	
Date of Interview: 19 January 2010	Time: <u>10:30 am</u>	
Type of Interview:  ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant ☐ Applicat  Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description:	ant's representative)	
Part I.		
Rejection(s) discussed: 35 USC: double-patenting, 101 non-statutory, 112, second para	graph vague and indefinite	
Claims discussed: Independent Claims 1, 37, 38		
Prior art documents discussed: None		
Part II.  SUBSTANCE OF INTERVIEW DESCRIBING THE GENE See Continuation Sheet	RAL NATURE OF WHAT WAS	S DISCUSSED:
Part III.		
<ul> <li>It is not necessary for applicant to provide a separate directly resulted in the allowance of the application. The of the interview in the Notice of Allowability.</li> <li>It is not necessary for applicant to provide a separate did not result in resolution of all issues. A brief summar</li> </ul>	e examiner will provide a writter record of the substance of the	en summary of the substance interview, since the interview
/Thomas Mansfield/ Examiner, Art Unit 3624	Applicant/Applicant's Representat	ive Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Mr. Mansfield initiated the interview to discuss minor issues within the instant application for possible allowance. Mr. Mansfield stated that a terminal disclaimer would be necessary to overcome any issues for the double-patenting rejection currently pending. Mr. Mansfield suggested that a supplemental amendment should be filed in response to the current notice of non-compliant amendment to provide possible claim amendments to overcome the current 35 USC 101 non-statutory rejection of independent Claim 1 and lack of utility rejections for independent Claims 37 and 38. Additionally, Mr. Mansfield indicated that in order to overcome 35 USC 112, second paragraph rejections for independent claim 1, 37, and 38, that an amendment would be necessary to further define the limitation, "desired" for the results obtained in these claim limitations.